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Attorneys for Defendant Marilyn Monroe, LLC

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
SHAW FAMILY ARCHIVES, LTD., BRADFORD :
LICENSING, INC., JAMES E. DOUGHERTY, and :
VALHALLA PRODUCTIONS, LLC. :

Plaintiffs/Consolidated Defendants,

v.

CMG WORLDWIDE, INC. and MARILYN
MONROE, LLC,

Defendants/Consolidated Plaintiffs.
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05 CV 3939 (CM)

**DEFENDANT'S/CONSOLIDATED
PLAINTIFF'S RULE 26(a)(1)
INITIAL DISCLOSURES**

Defendant/Consolidated Plaintiff Marilyn Monroe, LLC ("MMLLC"), by and through counsel and pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure, hereby submits these initial disclosures. MMLLC reserves the right to amend and supplement these initial disclosures to include information obtained through the course of further investigation, and MMLLC is not waiving any claim of privilege or immunity, including, but not limited to, work product protection.

A. WITNESSES

Based on the information of which MMLLC is now aware, the following individuals are likely to have discoverable information that MMLLC may use to support its claims or defenses:

- Corporate representative of CMG Worldwide, Inc., including but not limited to:
Mark Roesler, Jonathan Faber, Cristina Piquinela, and Dominic Lizama. They can be reached through counsel, c/o Jonathan Polak, Esq., Sommer & Barnard P.C., One Indiana Square, Suite 3500, Indianapolis, IN 46204, (317) 713-3500.
- Corporate representative of Marilyn Monroe, LLC, as well as any of the following persons: Anna Strasberg. Ms. Strasberg can be reached through counsel, c/o Orin Snyder, Esq., Gibson, Dunn & Crutcher LLP, 200 Park Avenue, 47th Floor, New York, NY 10166, (212) 351-4000.
- Corporate representative of the Lee Strasberg Institute.
- Corporate representative of Bradford Licensing, Inc. Known to Plaintiffs.
- Larry Shaw. Known to Plaintiffs.
- Edith Marcus. Known to Plaintiffs.
- Meta Stevens. Known to Plaintiffs.
- Corporate representative of Valhalla Productions, LLC. Known to Plaintiffs.
- Graphique de France, 9 State Street, Woburn, MA 01801, including but not limited to: Laura White, Nick Debrule.
- Bradford Exchanges, 9333 N. Milwaukee Ave., Niles, IL 60714, including but not limited to: Clara Meadows, Kelly Ann Colgan.
- Cliff Kaplan, formerly with Quark, Inc., 1800 Grant Street, Denver, CO 80203.
- Corporate representative of Franklin Mint (Aston, PA), including but not limited to: Howard Lucker, Lori O'Leary.
- Corporate representative of Pinder Lane (New York, NY), including but not limited to: Bob Thixton.

- Corporate representative of BBDO New York (New York, NY), including but not limited to: Jennifer Barbagello.
- Corporate representative of Playing Mantis (Mishawaka, IN), including but not limited to: Thomas Lowe, Richard Snyder, Amy Curl.
- Corporate representative of Salton Maxim (Mt. Prospect, IL), including but not limited to: William Rue, Leon Dreimann.
- Corporate representative of Corbis (Seattle, WA), including but not limited to: Dave Green.

B. DOCUMENTS

MMLLC will produce non-privileged documents and any other materials in its possession, custody or control, after such documents and materials have been assembled, that it may use to support its claims or defenses, including, but not limited to:

- Documents and any other materials relating to MMLLC's ownership of the Monroe Intellectual Property Rights;
- Documents relating to CMG's right to license the Monroe Intellectual Property Rights;
- Documents relating to Marilyn Monroe's domicile at the time of her death;
- Documents related to Plaintiffs' and Consolidated Defendants' infringement of Defendants' copyrights; and
- Documents related to damages to Defendants.

Many of these documents are located in the CMG offices in Indianapolis, Indiana.

In addition, MMLLC incorporates by reference all documents and any other materials disclosed by Plaintiffs in their initial disclosures as supplemented and/or referenced in the

pleadings. MMLLC expects that it will support its claims or defenses with documents and any other materials disclosed by Plaintiffs in their initial disclosures, as well as with documents and any other materials produced in response to document requests that MMLLC will propound in this action. MMLLC also expects that it will support its claims or defenses with documents produced by non-party individuals or entities in response to document subpoenas that MMLLC will propound in this action.


C. DAMAGES

MMLLC's damages are not yet ascertainable and continue to accrue and accumulate. MMLLC will provide this information as it becomes available.

D. INSURANCE

MMLLC is not aware of any insurance policies relevant to this action.

Dated: New York, New York
June 30, 2006


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